

Business Innovation and Investment Program Update

We are pleased to announce the process and timeframes for the remainder of the 2020/21 program year with regards to state nomination applications for the Business Innovation & Investment Program (BIIP).

Following the completion of quarterly Rounds 1 & 2 invitation processes whilst operating under a temporary quota allocation from The Department of Home Affairs, we will now be completing subsequent quarterly Rounds 3 & 4 following the provision of the state's full year quota and DHA's announcement regarding major changes to the national business migration program for 2021/22, including the cessation of the permanent subclass 132 visa from 1st July, 2021.

Accordingly, we advise the following information:

- All remaining invitations for the permanent subclass 132 nomination Significant Business History (SBH) will be finalised in the third quarterly round **(for Intention to Apply submissions received by 31/3/2021)**. All remaining invitations for the permanent subclass 132 nomination Venture Capital Entrepreneur stream will be finalised in the third quarterly round **(for Intention to Apply submissions received by 22/2/2021)**. This should enable adequate processing time for Skilled & Business Migration to assess any subclass 132 nominations before the program closes to new visa applicants on 1st July 2021. Any ITA's submitted after these dates **(31/3/21 for 132 SBH & 22/2/2021 for 132 VCE)** for a subclass 132 Visa are unable to be considered for application invitation due to State and Federal processing timeframes. The 4th and final quarterly nomination round (to occur in May – June 2021) will only be open to the provisional subclass 188 applications.
- Business proposals that include the exporting of wine to China are required to provide additional information with their 'Intention to Apply' (ITA) submission outlining:
 - The specific South Australian wine label(s) to be exported and the current tariff applicable (to be linked with the exploratory visit).
 - The market, distribution network and ongoing demand for the exported product and how any impacts of the tariff will be addressed.
 - An alternative business proposal should the export of wine not be considered a viable option post-arrival.

Note: This applies to applicants for the both the subclass 132 visa (Significant Business History stream) and subclass 188 (Business Innovation stream) where export is a qualifying activity. Invitation to apply for State Nomination decisions will be assessing the supporting information provided on this business activity. **Previous Intention to Apply submissions entered that have indicated an intention to export wine to China are required to submit a new Intention to Apply (ITA) form that addresses the above dot points.**

Outline of visa and stream availability for SA nomination 2020-21

- The approach for each of the BIIP visa subclasses for the remainder of 2020-21 is summarised below:

Visa / Stream	Round 3 (by March 2021)	Round 4 (by June 2021)
Permanent – Subclass 132	Available	Unavailable
Significant Business History	Available - additional requirements for wine export to China	Limited– only if exceptional proposal or circumstances
Venture Capital Entrepreneur	Available	Unavailable
Provisional – Subclass 188	Available	Available
Business Innovation	Available – additional requirements for wine export to China	Available - additional requirements for wine export to China
Investor	Available	Available
Significant Investor	Available	Available
Entrepreneur	Available	Available

To be considered for Round 3 invitations, you must have completed the following by Wednesday 31st March (by Friday 21st May to be considered for Round 4 invitations) (11:59pm ACST):

- Submit an [Intention to Apply](#) form via the Skilled & Business Migration Apply Site.
 - Lodge an Expression of Interest (EOI) through the Department of Home Affairs [SkillSelect](#) system, and provide this EOI reference in your Intention to Apply.
- If you have previously submitted an Intention to Apply (ITA), this will be considered for invitation selection in this round, **however you are able to submit a new ITA if your situation or business intentions have changed**, or if you did not include an EOI reference.
 - Please ensure your EOI is up to date and contains consistent information to your Intention to Apply.
 - If you do not have an existing account, you will need to register as a new user on the [Skilled & Business Migration Portal](#), and lodge your Intention to Apply by submitting an online enquiry**

Your Intention to Apply and EOI will be considered for nomination based on the following objectives:



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- Attract significant investment into the South Australian economy.
- Increase employment in South Australia through the direct creation of jobs.
- Drive innovation to make South Australia more productive and competitive.

If you have selected the Subclass 132 Significant Business History stream or Subclass 188 Business Innovation stream, you must have previously completed a physical exploratory visit to South Australia that meets the pre-July 2020 requirements below or meet the virtual exploratory meeting requirements also detailed below:

Physical Exploratory Visit

Evidence must be provided at time of application for state nomination. Information to be collected is the date and duration of the visit, where in SA you have visited and the nature of your visit. The accepted evidence must include one of the following:

- Meeting with Skilled & Business Migration (email confirmation of meeting).
- Airline boarding passes – tickets are not accepted as they do not confirm the flight was taken.
- Receipts for accommodation in SA.

If the above evidence is not available other submitted evidence may be accepted, such as emails to confirm the meeting with SA companies. Photos are not required and will not be assessed. Your application needs to include an exploratory visit itinerary and details on the outcome from your visit. This information is being collected to help understand how your visit has benefited your understanding of business and lifestyle opportunities.

Virtual Exploratory Visit

The virtual exploratory visit is available to clients under one of these circumstances:

- You are unable to travel due to a [COVID-19 related travel restriction](#), and agree to undertake a physical exploratory visit within six months of travel restrictions being lifted and prior to your visa being granted.
- You were refused a visitor visa by the Department of Home Affairs, and it was not due to a character or health reason. You must provide a copy of the visa outcome letter in your online application.

The virtual exploratory visit can be conducted by video or voice call, and must meet the following minimum requirements:

1. It is undertaken within 6 months of the date of application for State nomination.
2. Includes one telephone meeting with Skilled & Business Migration, and at least two other telephone or video meetings that adhere to the requirements below:

- For the 188 Business Innovation stream, one meeting must relate to the proposed business activity, and the other to an alternative qualifying business activity or an alternative product if exporting.



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- For the 188 Entrepreneur stream, both meetings should relate to the proposed entrepreneurial activity.
- For the 132 Significant Business History stream, one meeting must relate to the proposed business activity, and the other meeting relate to an alternative qualifying business activity or an alternative product if exporting.
- For the 132 Venture Capital Entrepreneur stream, both meetings should relate to the proposed entrepreneurial activity.

You will be required to provide information about these virtual meetings in the online application form, including the date, contact person and outcomes.

If Skilled & Business Migration is satisfied with your Intention to Apply and your EOI, you may be invited to submit an online application for state nomination. These will be issued from **Monday 15th February to Thursday 1st April**. You will have 14 days from the date notified to apply for state nomination. **If you wish to withdraw an 'Intention to Apply' that has been submitted, or do not intend to use an application invitation once received, please email the Skilled & Business Migration team at migration.business@sa.gov.au to confirm this.**

For South Australia to approve your online application and make a nomination in SkillSelect you need to meet the Department of Home Affairs criteria and South Australia's requirements. Please note:

Your personal details in your South Australian online application must be the same as your EOI. Any discrepancies may result in nomination refusal.

- Missing or incorrect documentation may result in your South Australian application being refused.
- Additional documentation after submission of your South Australian application will not be accepted, unless requested.

Your application will be assessed by the Department for Innovation and Skills within an indicative 4-week timeframe (up to 8 weeks for 132VCE applications). Priority processing is not available.

If you are not invited to submit a state nomination application in Round 3, your Intention to Apply remains eligible for Round 4 selection where only Subclass 188 Visa program invitations, applications and nominations will be processed. Please do not contact the Department for Innovation and Skills regarding the status of your Intention to Apply unless you have been requested to provide further information.

Prospective applicants who meet the requirements listed above and lodge an EOI are not guaranteed to be invited to submit an application. Applying for nomination does not guarantee you will receive nomination by South Australia or be granted an Australian visa. Invitation to submit an application and nomination is granted at the discretion of South Australia and is subject to quotas and Commonwealth and State priorities.



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If you are granted an Australian visa, the business proposal you put forward during this interim period will be scrutinised at the subsequent Subclass 132 Review stage and Subclass 888 stage, where the Government of South Australia has a direct role.

Please refer to the [Terms and Conditions](#) for more information.